IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7782 OF 2006

1. Remand Home, Ratnagiri & Anr.] .. Petitioners

Versus

1. Narendra Mahadev Ghanekar & 2 ors.] .. Respondents

Mr. S.B. Shetye for the petitioners.

CORAM: S.B. MHASE, J.

DATED: 22ND JUNE, 2007

P.C. :

. Heard.

2. The application for framing preliminary issues has been rejected by the order dated 1st September, 2005, passed under Exhibit-113 in Regular Civil Suit No. 83 of 1999 by the learned Joint Civil Judge, Senior Division, Ratnagiri. It is well settled principle that all issues shall be decided unless the jurisdictional issue is covered by Order XIV Rule 2 (2). Therefore, the order in treating the issue of jurisdiction as preliminary issue is justified and no interference is

called for. However, if the said issue arises, it can be considered alongwith other issues. Therefore, this Court refrains to entertain the Petition and it is, accordingly, rejected.

Sd/-
[S.B. MHASE, J.]